

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MICHELLE MADDEN, as Parent and	:	CIVIL ACTION
Natural Guardian and Administrator of the	:	
Estate of MYKENZIE MADDEN, a minor,	:	NO. 05-787
deceased,	:	
	:	
Plaintiff,	:	
	:	
v.	:	
THE A.I. DUPONT HOSPITAL FOR	:	
CHILDREN OF THE NEMOURS	:	
FOUNDATION and CHRISTIAN	:	
PIZARRO, M.D.,	:	
	:	
Defendants.	:	

**ORDER**

AND NOW, on this 27th day of January 2010, upon consideration of Defendant Christian Pizarro, M.D.'s Motion to Preclude the Testimony of Joseph J. Amato, M.D. as an expert witness (Docket No. 84), Motion to Preclude Evidence and Testimony Based upon Daubert v. Merrell Dow Pharm., Inc., 509 U.S. 579 (1993), Rule 702 of the Federal Rules of Evidence, and for Summary Judgment (Docket No. 83), and Motion for Partial Summary Judgment on Plaintiff's Informed Consent Claim (Docket No. 80), and the responses thereto, it is hereby ORDERED that all three Motions are DENIED.

/s Michael M. Baylson  
Michael M. Baylson, U.S.D.J.